IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the 16th day of August 2005

Criminal Misc. Bail Application No.714/2005

Order on the bail application of accused

CRIMINAL SIDE

Sudhir S/o Shri Chain Singh
R/o village Mohammadpur Jat
P.S. Mangluar
District Haridwar
Presently R/o 209/38 Saket
P.S. Gangneher Roorkee
District Haridwar ……..…….. Applicant

Versus

State of Uttaranchal ……..…. Opposite Party

Arising out of case crime No.55 of 2005
U/s 452, 323, 325, 504, 506, 147, 148, 302, 307 I.P.C.
P.S. Gangnaher Roorkee
District – Haridwar

Hon'ble J. C. S. Rawat, J.

Heard Sri Manish Arora learned counsel for the applicant, Sri Navneet Kaushik learned counsel for the complainant and learned A.G.A. for the State.

Perused the record. The learned counsel for the applicant contended that the case was initially registered under section 147, 148, 452, 323, 504, 506 I.P.C. One injured-Anuj died on 02.05.2005 and thereafter the case converted into under sections 452, 323, 325, 504, 506, 147, 148, 302 & 307 I.P.C. The learned counsel for the applicant contended that the postmortem report shows that it is a road accident case and postmortem itself indicates this fact it the report. The learned counsel for the applicant contended that the injuries, which are said to have been caused during the incident, do not match with the injuries shown in the postmortem report. It was further contended that the injured died after a lapse of time and the medical report clearly shows that it is a case of motor accident. Considering the facts, contentions and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 16.08.2005 **(J.C.S. Rawat, J.)**
LSR